

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

JOHN R. GRANO, JR. )  
and )  
CYNTHIA TAFT GRANO )  
Plaintiffs, ) Civil Action No. 3:20-cv-00065  
v. )  
RAPPAHANNOCK ELECTRIC )  
COOPERATIVE, )  
A Virginia Nonstock Corporation, *et al.* )  
Defendants. )

**COMMONWEALTH DEFENDANTS' RULE 12(b)(1)  
MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION**

Defendants Commonwealth of Virginia and Governor Ralph S. Northam, by counsel and pursuant to Federal Rule 12(b)(1), move to dismiss the Amended Complaint filed against them by John R. Grano, Jr. and Cynthia Taft Grano for lack of subject matter jurisdiction. The reasons supporting their motion are set forth in an accompanying, contemporaneously filed memorandum of law.

Respectfully submitted,

Commonwealth of Virginia  
Governor Ralph S. Northam

By: /s/ Robert B. McEntee, III  
Robert B. McEntee, III (VSB No. 89390)  
*Assistant Attorney General*

Mark R. Herring  
*Attorney General*

Samuel T. Towell  
*Deputy Attorney General*

Marshall H. Ross  
*Senior Assistant Attorney General/  
Trial Section Chief*

Jacqueline C. Hedblom  
*Assistant Attorney General/  
Unit Manager*

Office of the Attorney General  
202 North Ninth Street  
Richmond, Virginia 23219  
(804) 786-8198 – Telephone  
(804) 371-2087 – Facsimile  
rmcenteeiii@oag.state.va.us

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 1, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record for the parties.

/s/ Robert B. McEntee, III  
Robert B. McEntee, III